Scott. II-27—

Development (1948) Department.

MS SERIES.

G.O NO. 841 M

Dated 20 2 48

[Despatch Abstract.]

To Madras D

Textiles - Yarn Control (Dealers) Con

1947 - Cl 4 - Contravention

Prosecution - & withdrawal.

114894

Ref.C.No. 5125--T4--47.

S.K.Collector's Office,
Textile Control Branch,
Mangalore, 18--11--1947.

From

Sri S. Balaji Rao,
Head Quarters Deputy Collector in charge,
MANGALORE.

To

The Secretary to Government,
Development Department,
MADRAS.

Sir,

SUBJECT: The Madras Yarn (Dealers) Control Order 1947 - Clause 4 - Contravention - Prosecution launched - Recommended approval to withdraw.

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Ref: G.O.Ms. No. 5019 dated 30--10--1947.

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A retail yarn dealer Messrs. J. C. Sequeira Brothers, has been prosecuted for contravening clause 4 of the Madras Yarn (Dealers) Control Order 1947, as, per notification IV of the Provincial Textile Commissioner dated 30--3--1947 in pursuance of condition 4 of the conditions of licence set forth in the schedule to the Madras Yarn (Dealers) Control Order 1947, the dealer did not note the number of the buyer's yarn ration card in any of his bills for sale of yarn to the consumer weavers. The dealer has now represented that he has allotted a separate page for each consumer in his distribution register and on each page of this register the weaver's card No.is noted. The page number of the distribution register is noted on the bills instead of the yarn ration card number. It is a fact that the page number of the distribution register is noted on the bill, a reference to which will give the card number of the consumer. Although the condition of the licence is not observed in its strictest technical sense, a point may be stretched in favour of the dealer, who has given the page number of the distribution register on the bill instead of the required yarn ration card number. In consideration of the above fact, I request the prosecution launched against the dealer may be allowed to be withdrawn.

For Collector.

38/9/12

I M

To

The P. T. C Madras

Sub:- Textiles - Yarn - contravention of Condition of licence under the Madras Yarn (Dealers) control order 1943 - failure to note the nos. of yarn sales cased in the bill

Please send urgently a copy of yarn notification No IV d 30.3.47 issued in pursuance of condition A of the condition of licence set forth in the schedule to the Madras Yarn (Dealers) Control order 1941.

P. T. to go.
with P1-2 & E.S.

A S

Rs

Notification IV of the P.T.C. referred to by the collector of S. Kanara. The A search of the Fort St. George Gazette also does not give any information The T.N. or P I adsore may therefore go.

P I C S.

3.12.80 Ulzy

CPP
6.12.80

R.C.190611/47/E

Office of the
Provincial Textile Commissioner,
Egmore, Madras. dated 18/12/47

From

K. C. Ratho Esq., B.A.,
Provincial Textile Commissioner,

126031

To.

The Secretary to Government,
Development Department.
Fort St. George,
Madras.

Sir,

Sub:- Textiles- yarn - contraventions of conditons of licence under the Madras Yarn (Dealers) Control Order, 45 - failure to note the number of yarn ration card in the bill - copy of the notification - furnished.

Ref:- post copy of the telephonic message dated 6-12-47 from Government.

A copy of the notification No. IV dated 30-3-47 of the Provincial Textile Commissioner issued under the Madras Yarn (Dealers) Control Order 47, is enclosed as called for by Government in their reference cited above.

For Provincial Textile Commissioner

In pursuance of condition 4 of the conditions of licence set forth in the Schedule to the Madras Yarn (Dealers) Control Order, 1947, the Provincial Textile Commissioner, Madras hereby notifies that every licensee, under the said Order shall comply with the directions below:

Every cash receipt or credit note issued by a licensee shall contain the particulars specified hereunder:-

1. If the buyer is a licensee,

(1) name, addreess and licence number of the seller;
(2) date of sale;
(3) name, addreess and licence number of the buyer;
(4) count and quantity of yarn sold.

(Separately for each count and distinguishing the different types of yarn, namely, mercerised yarn, cone yarn, processed yarn and grey yarn in hanks.);

(5) price charged
(separatley for each distinct item under (IV);

(6) total price charged; and
(7) signature of the seller or his salesman.

2. If the buyer is a consumer of yarn,

(1) name, address and licence number of the seller;
(2) date of sale;
(3) name, and address of the buyer;
(4) number of the buyer's yarn ration card if he is a proudcer of handloom cloth and the number anddate of the order sanctioning the sale in other cases;
(5) Count and quantity of yarn sold
(Separately for each count, distinguishing the different types of yarn, namely, mercerised yarn, cone yarn, processed yarn and grey yarn in hanks
(6) price charged
(separatley for each distinct item under item (V)

(7) total price charged; and
(8) signature of the seller or his salesman.

(sd) S. Venkateswaran.
30-3-47.
Provincial Textile Commissioner.

(True copy)

For Prov. Text. Com
18/4

1894/192
23/2

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Textiles - Yarn - The Madras Yarn (Dealers (Control) order 1947 - cl 4 - contravention Prosecution - withdrawal - ordered.

READ AGAIN ....., dated ..... 19.....

" " ..... " ..... 19.....

READ *ALSO* :—

No. ..... From the Collector S. Kanara Ref. No. S125/47/4 dated 18.11.1947

" ..... " ..... " ..... " ..... 19.....

" ..... " ..... " ..... " ..... 19.....

~~Order~~ Ms. ~~Resolution Rout.~~ No. 841, dated 20 2 1948

P I C -

reported by the Collector S. Kanara Court direct that the criminal prosecution against M/S J. C. Sequeira Bros of S. Kanara for the offence that the dealers did not note the number of weavers' yarn ration cards in the case of the bills for the sale of yarn to those weavers, be withdrawn.

CR 19.2.48

22.2.48 28/2/48

To The Collector of S.K.

Hqrs 28.2.48 AS

The offence for which M/S J. C. Sequeira of S. Kanara are prosecuted is failure to note the number of the weaver card

Pt 10

2/b/1

on the bills issued to weavers, appears excusable as the dealer noted by mistake the page of the distributor register. The case is trivial and does not warrant a prosecution. The concerned proposals for withdrawal of the prosecution may be accepted. and the case subject to orders the draft at P1 is for approval.

Instead of noting the yarn Card number on the sale bills as required by the PTC's instructions the dealer noted the page number of his distribution register where the necessary entries of sale were made. It is clear that this was due ignorance and with no intention of fraud. The Collr is satisfied that a mistake has been made in ordering prosecution and wants permission to withdraw the prosecution. May be permitted

CPS
25.12.47

This is clearly a trivial technical case of prosecution & should never have been sanctioned. We may permit withdrawal of prosecution.

Such hasty prosecutions are not infrequent. They bring discredit to Govt. We may call upon Collector to explain why he sanctioned prosecution without examining the merits of the case fully & he ordering should have come down.

5/1/48

H. M. (Ind)
H. M. (Home)
O.P.R. 14/2/48

Withdraw prosecution
The Officer concerned made to understand his mistake.

7/1/48

8/1